

FORM PTO-1390 (Modified)
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

112740-270

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR
09/914,414

INTERNATIONAL APPLICATION NO.
PCT/DE00/00539

INTERNATIONAL FILING DATE
25 February 2000

PRIORITY DATE CLAIMED
26 February 1999

TITLE OF INVENTION

**METHOD FOR CONTROLLING THE SELECTION OF BASE STATIONS IN A CELLULAR RADIO
TELECOMMUNICATION SYSTEM**

APPLICANT(S) FOR DO/EO/US

Egon Schulz

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

Additional copy of English translation of the non-English language application.

12/28/2001 MHGUYEN 00000141 09914414

01 FC:154

130.00 0P

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.492 (a)(1)) <div style="text-align: center;">09/914,414</div>		INTERNATIONAL APPLICATION NO. <div style="text-align: center;">PCT/DE00/00539</div>		ATTORNEY'S DOCKET NUMBER <div style="text-align: center;">112740-270</div>																
24. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>				<div style="text-align: center;">CALCULATIONS PTO USE ONLY</div>																
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30				<div style="text-align: right;">\$0.00</div>																
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:15%;">CLAIMS</th> <th style="width:25%;">NUMBER FILED</th> <th style="width:25%;">NUMBER EXTRA</th> <th style="width:15%;">RATE</th> <th style="width:20%;"></th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td style="text-align: center;">- 20 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$18.00</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td>Independent claims</td> <td style="text-align: center;">- 3 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$84.00</td> <td style="text-align: right;">\$0.00</td> </tr> </tbody> </table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		Total claims	- 20 =	0	x \$18.00	\$0.00	Independent claims	- 3 =	0	x \$84.00	\$0.00	<div style="text-align: right;">\$130.00</div>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																	
Total claims	- 20 =	0	x \$18.00	\$0.00																
Independent claims	- 3 =	0	x \$84.00	\$0.00																
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				<div style="text-align: right;">\$0.00</div>																
TOTAL OF ABOVE CALCULATIONS =				\$130.00																
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				<div style="text-align: right;">\$0.00</div>																
SUBTOTAL =				\$130.00																
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30 +				<div style="text-align: right;">\$0.00</div>																
TOTAL NATIONAL FEE =				\$130.00																
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				<div style="text-align: right;">\$0.00</div>																
TOTAL FEES ENCLOSED =				\$130.00																
				Amount to be refunded	\$															
				charged	\$															
a. <input checked="" type="checkbox"/> A check in the amount of <u>\$130.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-1818</u> A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																				
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.																				
SEND ALL CORRESPONDENCE TO: <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> William E. Vaughan (Reg. No. 39,056) Bell, Boyd & Lloyd LLC P.O. Box 1135 Chicago, Illinois 60690-1135 </div>																				
<div style="text-align: right; margin-top: 20px;"> SIGNATURE William E. Vaughan NAME 39,056 REGISTRATION NUMBER December 17, 2001 DATE </div>																				

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)			Docket No. 112740-270
Applicant(s): Egon Schulz			
Serial No. 09/914,414	Filing Date August 27, 2001	Examiner	Group Art Unit
Invention: METHOD FOR CONTROLLING THE SELECTION OF BASE STATIONS IN A CELLULAR RADEIO TELECOMMUNICATIONS SYSTEM			
<p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 5px;"><p>Transmittal letter to the United States Designated/Elected office in duplicate, Notification of missing requirements, executed declaration and power of attorney, Response to notification of missing requirements, late fee \$130.00, English translation, postcard (see enclosed envelope for executed assignment and fee)</p></div> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on</p> <p><u>December 17, 2001</u> <i>(Date)</i></p> <div style="text-align: center;"><div style="border-bottom: 1px solid black; width: 100px; margin: 0 auto;"></div><p>Robert Buccieri <i>(Typed or Printed Name of Person Mailing Correspondence)</i></p><div style="border-bottom: 1px solid black; width: 100px; margin: 0 auto;"></div><p><i>(Signature of Person Mailing Correspondence)</i></p><div style="border-bottom: 1px solid black; width: 100px; margin: 0 auto;"></div><p>EL727380947US <i>("Express Mail" Mailing Label Number)</i></p></div>			
<p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

#3

BOX PCT

IN THE UNITED STATES ELECTED/DESIGNATED OFFICE
OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
UNDER THE PATENT COOPERATION TREATY-CHAPTER II

5

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

APPLICANT: Egon Schulz . DOCKET NO: 112740-270

SERIAL NO: 09/914,414 GROUP ART UNIT:

10 EXAMINER:

INTERNATIONAL APPLICATION NO: PCT/DE00/00539

INTERNATIONAL FILING DATE: 25 February 2000

15 INVENTION: METHOD FOR CONTROLLING THE SELECTION OF
BASE STATIONS IN A CELLULAR RADIO
TELECOMMUNICATIONS SYSTEM

Assistant Commissioner for Patents,
Washington, D.C. 20231

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Sir:

25 In the Notification of Missing Requirements dated October 17, 2001, it was
indicated that an English translation of the above-referenced application had not yet
furnished to the U.S. Patent Office. Applicant respectfully submits, however, that
such translation was, in fact, submitted at the time of filing. Verification of such
submission thereafter came in the form of a return receipt postcard which was
stamped by the U.S. Patent Office, and which indicated that the Patent Office
received the English translation.

30 Accordingly, Applicant respectfully submits that the processing fee for
providing a translation of the application later than the appropriate 20 months from
the priority date is not due in connection with the present application. For

convenience, however, Applicant is again providing a copy of the English translation of the present application along with this response..

Respectfully submitted,
BELL, BOYD & LLOYD LLC

BY 
William E. Vaughan
Reg. No. 39,056
P.O. Box 1135
Chicago, Illinois 60690-1135
Phone: (312) 807-4292

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<input checked="" type="checkbox"/> <small>Continuation For Priority, See PCT, United States Patent and Trademark Office, Washington, D.C. 20535, www.uspto.gov</small>		
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/914,414	Egon Schulz	112740-270

INTERNATIONAL APPLICATION NO.

PCT/DE00/00539

I.A. FILING DATE	PRIORITY DATE
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02/25/2000

02/26/1999

William E. Vaughan
 Bell, Boyd & Lloyd
 P.O. Box 1135
 Chicago, IL 60690

CONFIRMATION NO. 4193

371 FORMALITIES LETTER



OC000000006907695

Date Mailed: 10/17/2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination
- Substitute Specification

RECEIVED
 BELL, BOYD & LLOYD
 INTELLECTUAL PROPERTY DOCKET

OCT 22 2001 TK

ATTY: WEV
 DOCKET #: 112740-270

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English.
- Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 20 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$260 for a Large Entity:

- \$130 Late oath or declaration Surcharge.
- \$130 for English translation surcharge required.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

FREDERICK SMITH

Telephone: (703) 305-3654

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/914,414	PCT/DE00/00539	112740-270